

Notice of Allowability

Application No.

10/057,465

Examiner

CUONG H. NGUYEN

Applicant(s)

WANG, YNJIUN P.

Art Unit

3661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11/04/05 (the amendment).
2. ☒ The allowed claim(s) is/are 1-5,8-12; they are renumbered as claims 1-10. 15 sheets of formal dwgs are accepted on 3/21/05.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


CUONG H. NGUYEN
Primary Examiner
Art Unit: 3661

DETAILED ACTION

1. This Office Action is the answer to the amendment received on 11/04/2005.

Status of the claims

2. Claims 1-5, and 8-12 are pending; claims 6-7 were canceled on 11/04/05.

Drawings

3. Formal drawings were acceptable by the examiner on 3/21/2005.

Examiner's amendment:

4. The examiner amends 2 minor typo errors for claims 8, and 9. Should the changes be unacceptable to applicants, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

The application has been amended as follows:

- In claim 8, line 1, change "7" to – 1 --.
- In claim 9, line 1, change "7" to – 1 --.

Allowable Subject Matter & Reasons for Allowance

5. Claim 1 is patentable over the closest reference of Lessin, Joao, and Cambier, because it teaches a method for permitting a user to conduct a charged transaction utilizing a charge terminal of an electronic transaction system, the charge card terminal being configured to interface with a charge card for the purpose of conducting the charge card transaction, providing a merchant where the charge card transaction is to be conducted, comprising:

a payment server using the transaction associated PIN number as an index to a database which stores a cellular phone number for the person required to authorize the transaction,

the database further stores a record of whether the authorizer's cellular phone has an imbedded portable electronic authorizing action device (PEAD).

the authorizing person approving the transaction by entering a PIN number at the cellular phone into the PEAD.

6. In summary, claim 1 recites a novel method for conducting and approving a charge transaction from a remote location. The person approving the transaction, from the remote location, uses a PEAD incorporated in a cellular phone to remotely approve the transaction. This method is also related to eliminating security risks associated with prior techniques for approving transactions between a user and an electronic transaction system. Specifically, when a merchant picks up the charge card for a transaction to be conducted, the use of the card is detected at a central processing center, a call is placed to a cellular phone for authorizing that charge card transaction. In response, upon the entry of a PIN at the authorizing person's cell phone having a PEAD, the approval of the transaction is conveyed back to the charge card terminal only upon the approval by the authorized person.

7. Claims 2-5, and 8-12 are allowed because they are dependent on claim 1.

Conclusion

8. Claims 1-5, and 8-12 are patentable. Claims 9, 11-12 are renumbered as claims 6, 9, and 7 (in that order).


9. Any inquiry concerning this communication or earlier communications from the

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examiner should be directed to CUONG H. NGUYEN whose telephone number is 571-272-6759. The examiner can normally be reached on 9:30 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, THOMAS G. BLACK can be reached on 571-272-6956. The Rightfax number for the organization where this application is assigned is 571-273-6956.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


CUONG H. NGUYEN
Primary Examiner
Art Unit 3661